

HOUSE BILL NO. 85

INTRODUCED BY T. SCHMIDT

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE UNLAWFUL DISCRIMINATORY PRACTICE PROVISION FOR MOTOR VEHICLE INSURANCE POLICIES; AMENDING SECTION 49-2-309, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 49-2-309, MCA, is amended to read:

"49-2-309. Discrimination in insurance and retirement plans. (1) (a) ~~†~~ Except as provided in subsection (1)(b), it is an unlawful discriminatory practice for a financial institution or person to discriminate solely on the basis of sex or marital status in the issuance or operation of any type of insurance policy, plan, or coverage or in any pension or retirement plan, program, or coverage, including discrimination in regard to rates or premiums and payments or benefits.

(b) The provisions of subsection (1)(a) do not apply to any motor vehicle insurance policy, plan, or coverage.

(2) This section does not apply to any insurance policy, plan, or coverage or to any pension or retirement plan, program, or coverage in effect prior to October 1, 1985.

(3) It is not a violation of the prohibition against marital status discrimination in this section for an employer to provide greater or additional contributions to a bona fide group insurance plan for employees with dependents than to those employees without dependents or with fewer dependents."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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